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Attorney for Defendant FUECHTNER

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

* * *

UNITED STATES OF AMERICA,)	2:16-cr-100-GMN-CWH
)	
)	
Plaintiff,)	
)	
v.)	
)	
JAN ROUVEN FUECHTNER,)	
)	
Defendant.)	
)	

STIPULATION AND ORDER TO CONTINUE CALENDAR CALL AND TRIAL DATE

IT IS HEREBY STIPULATED AND AGREED by and between JESS R. MARCHESE, ESQ., and BENJAMIN DURHAM, ESQ., Counsel for Defendant JAN ROUVEN FUECHTNER and CRISTINA SILVA and ELHAM ROOHANI, Assistant United States Attorneys, that the calendar call currently scheduled for August 11, 2016 at 11:00a.m., and the trial currently scheduled for August 22, 2016 at 9:00a.m. be vacated and reset to an October 11, 2016 calendar call and an October 17, 2016 trial date.

This Stipulation is entered into for the following reasons:

1. Counsel for the defendant has spoken to his in-custody client and he has no objection to the request for continuance.
2. Counsel for the defendant has spoken to counsel for the United States and they have no objection to the continuance.

- 1 3. Counsel for the defense just received a large amount of discovery on August 5, 2016
2 that will need to be thoroughly reviewed before trial.
3
4 4. The additional time requested by this stipulation is excludable in computing the time
5 within which trial herein must commence pursuant to the Speedy Trial Act, Title 18,
6 United States Code, Section 3161 (h)(1)(D) and Title 18, United States Code Section
7 3161 (h)(7)(A) considering the factors in Title 18, United States Code, Sections 3161
8 (h)(7)(B)(I) and 3161 (h)(7)(B)(iv).
9
10 5. That a denial of this request would result in a miscarriage of justice.
11
12 6. For all the above-stated reasons, the ends of justice would best be served by a
13 continuance of the Calendar Call and Trial Date and reset to the aforementioned
14 dates and times listed herein.

15 This is the fourth request for continuance filed herein.

16 DATED: August 10, 2016

17
18 _____
19 /S/
20 JESS R MARCHESE, ESQ.
21 601 S. LAS VEGAS BLVD.
22 LAS VEGAS, NEVADA 89101
23 ATTORNEY FOR THE DEFENDANT

 /S/
 CRISTINA SILVA, ESQ.
 ASSISTANT UNITED STATES ATTORNEY
 501 LAS VEGAS BOULEVARD SOUTH. #1100
 LAS VEGAS, NEVADA 89101

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**UNITED STATES DISTRICT COURT
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UNITED STATES OF AMERICA,)	2:16-cr-100-GMN-CWH
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)	
Plaintiff,)	
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v.)	
)	
JAN ROUVEN FUECHTENER,)	
)	
Defendant.)	
)	

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the court finds:

This Stipulation is entered into for the following reasons:

1. Counsel for defendant has spoken to his in-custody client and he has no objection to the request for continuance.
2. Counsel for the defendant has spoken to counsel for the United States and they have no objection to the continuance.
3. Counsel for the defense just received a large amount of discovery on August 5, 2016 that will need to be thoroughly reviewed before trial.

4. The additional time requested by this stipulation is excludable in computing the time within which trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States Code, Section 3161 (h)(1)(D) and Title 18, United States Code Section 3161 (h)(7)(A) considering the factors in Title 18, United States Code, Sections 3161 (h)(7)(B)(I) and 3161 (h)(7)(B)(iv).
5. That a denial of this request would result in a miscarriage of justice.
6. This is the fourth request filed herein.
7. For all the above-stated reasons, the ends of justice would best be served by a continuance of the Calendar Call to August 15, 2016 and Trial Date to August 22, 2016.

CONCLUSIONS OF LAW

Denial of this request for continuance would deny the parties herein the opportunity to effectively and thoroughly prepare for trial.

Additionally, denial of this request for continuance could result in a miscarriage of justice.

ORDER

IT IS HEREBY ORDERED that the calendar call currently scheduled for August 11, 2016, at 11:00 a.m., be continued to the 11th day of October, 2016 at 9:00am, in courtroom 7d and the trial currently scheduled for August 22, 2016, at 9:00 a.m., be continued to the 17th day of October, 2016 at 8:30am, in courtroom 7d.

DATED this _____ day of _____, 2016.

U.S. DISTRICT JUDGE